

## **Tippecanoe County Drainage Board**

### **Minutes**

**November 4, 2009**

### **Regular Meeting**

#### **Those present were:**

Tippecanoe County Drainage Board President Thomas Murtaugh, Vice President David Byers, member John Knochel, County Surveyor Steve Murray, Drainage Board Attorney Dave Luhman, Drainage Board Engineering Consultant Dave Eichelberger from Christopher B. Burke Engineering Limited, and Drainage Board Secretary Brenda Garrison. Project Manager Zachariah Beasley was also in attendance.

#### **Approval of Minutes**

David Byers made a motion to approve the October 7, 2009 Regular Drainage Board minutes as written. John Knochel seconded the motion. The October 7, 2009 Drainage Board meeting minutes were approved as written.

#### **Promenade Self Storage**

Kyle Betz represented Fisher and Assoc. and appeared before the Board to request final approval for Promenade Self Storage. The site was located on Promenade Pkwy. south of County Road 350 South and located within the City of West Lafayette limits. This project was previously presented before the Board as Stones Crossing Self Storage by a different developer. That project was approved in 2008 and had a larger footprint with additional buildings at that time. The current project had an indirect and direct outlet to the JN Kirkpatrick Regulated Drain. He stated the overall project was a self storage facility with a care-taker residence on the site as well. As part of the overall Stones Crossing development, the development fell within the predetermined release rates and as such, detention storage would not be required. The internal storm sewer network created three outlet points and two of the points outlet directly into the JN Kirkpatrick Regulated Drain. He noted the approval today was for the direct release only. The remainder of the storm site improvements fell under the jurisdiction of the City of West Lafayette as the site was annexed in February of 2009. The project would be completed in phases however the phasing was not yet certain at this time. Responding to Mr. Murtaugh's inquiry, Kyle stated there was a ditch which originated at Co. Rd. 350 South and a part of the Foxfire Apartments project that served two purposes. Those were creating a defined flow path for the outlet from Co. Rd. 350 South and to control the runoff from Foxfire Apt's. This was not the primary outlet as Foxfire had its own pond and its own outlet to JN Kirkpatrick Regulated Drain located further to the west. Regarding the previous Foxfire Apt's approval, the Surveyor noted there was a tile branch of the JN Kirkpatrick Regulated drain which had been vacated in phases as the developments of Stones Crossing and Wal-Mart were developed. It was intercepted and ran through the storm sewer system in the Wal-Mart project. (It was originally meant to drain Co. Rd. 350 South and was extended as part of the Foxfire development.) The Surveyor reiterated this was in the City limits and as such the Board would be approving the release rate into the JN Kirkpatrick Regulated Drain only. There was one other item to be dealt with today. A previously approved plan submitted under Stones Crossing Self Storage included an encroachment into the JN Kirkpatrick Regulated Drain approved by the Board and recorded as required. This new development would not require an encroachment, and the developer asked that the recorded encroachment agreement be rescinded. Since the encroachment was a recorded document, a request to rescind the recorded encroachment would be required to be submitted for approval by the Board. The Surveyor recommended final approval with conditions as stated on the October 30, 2009 Burke Review memo and to include the added condition for a formal rescission request prepared and submitted by the petitioner. There was no public comment. David Byers made a motion to rescind the Encroachment Agreement and authorize the Board's President to sign the Rescission Agreement. John Knochel seconded the motion. David Byers made a motion to grant final approval with conditions as stated on the October 30, 2009 Burke memo along with the added condition for a formal rescission agreement to be submitted by the petitioner. John Knochel seconded the motion. Promenade Self Storage was granted final approval with the conditions as stated on the Oct. 30, 2009 Burke memo and the added condition of a formal rescission request prepared and submitted by the petitioner.

#### **OTHER BUSINESS**

##### **Petition to Partially Vacate the Simeon Yeager Regulated Drain**

Brandon Fulk representing Purdue Research Foundation Phase 3 Part 2 appeared before the Board to request the partial vacation of the Simeon Yeager Regulated Drain in T23N R4W and Sections 1, 6 and 36. Brandon noted there were no other landowners that would be affected by the partial vacation request. He noted the drain had been terminated at Kalberer Road previously. The vacation would be from Kalberer Road to Yeager Road. He stated Purdue's counsel had worked with the

November 4, 2009

Tippecanoe County Drainage Board

Board's Attorney regarding the appropriate documents and as a side note stated the Dempsey Baker Regulated Drain Petition to Partially Vacate would be presented at the December meeting for Board action. Responding to Mr. Byers inquiry, Brandon stated no other landowners were affected by the request. There was no public comment. The Surveyor recommended approval of the partial vacation as presented. David Byers made a motion to grant the Partial Vacation of the Simeon Yeager Regulated Drain as presented. John Knochel seconded the motion. The Simeon Yeager Regulated Drain Partial Vacation Petition presented by Purdue Research Foundation Phase 3 Part 2 was approved as submitted.

#### **Reschedule December Meeting**

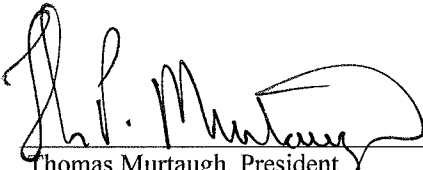
David Byers made a motion to reschedule the December 5, 2009 Drainage Board meeting to December 9, 2009 at 10:00 due to a scheduling conflict. John Knochel seconded the motion. The December Drainage Board meeting was rescheduled to Dec. 9, 2009 at 10:00. It will be held in the Grand Prairie Room.

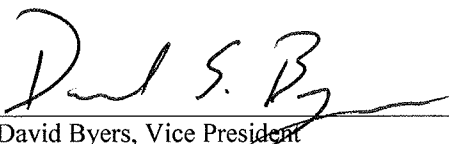
#### **Steve Murray**


The Surveyor stated that Christopher B. Burke was proceeding with the design of the SW Elliott Branch #11 Reconstruction. He had no other updates for the Board at this time.


#### **Public Comment**

As there was no other public comment David Byers made a motion to adjourn. The meeting was adjourned.

  
Thomas Murtaugh, President

  
David Byers, Vice President

  
John Knochel, Member

  
Brenda Garrison, Secretary